

Application No. 10/712,978
Reply to Office Action of August 24, 2005

REMARKS

Claims 1-33 and 48-52 have been canceled. Claims 34-47 are in the application. The Examiner has indicated that claims 40-47 have been allowed.

Claim 34 has been amended to recite that the coating contacts the fluid of the fluid transport structure.

Claims 3, 4, 18-24, 26-32 and 34-39 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Derwent Document number 1983-848572 (RD-23619A). The Examiner has stated that RD-23619A discloses that the adhesion between co-extruded polyester films and ethylene-vinyl alcohol copolymer films is improved with an intermediate bonding layer comprising a blend of ethylene vinyl acetate copolymer (EVA) and ethylene-vinyl alcohol copolymer, or a partially hydrolyzed terpolymer of ethylene, (meth)acrylic acid and vinyl acetate. The Examiner contends that it would have been obvious to one having ordinary skill in the art to have substituted PVOH for EVOH in the structures taught since they are homologous.

Applicants respectfully disagree with the Examiner's contention. Claims 3, 4, 18-24 and 26-32 have been canceled. With regard to claims 34-39, Applicants are claiming an article for fluid transport wherein at least one adhesive article is located near a fluid transport structure. The adhesive article comprises a base layer and a coating wherein the coating comprises (A) an adhesive resin and (B) at least one hydrophilic polymer, at least one surfactant or a combination of both. The coating layer is in contact with the fluid of the fluid transport structure. RD-23619A is directed to an intermediate layer located between two coextruded films. As such, the intermediate layer cannot possibly be in contact with the fluid of a fluid transport structure. Furthermore, RD-23619A does not disclose, teach or suggest an article for fluid transport. Rather, RD-23619A merely discloses a tie layer for increasing the bond strength between two coextruded layers. As such, the fluid transport article claimed by Applicants could not have been obvious based on the disclosure of RD-23619A.

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In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and a timely issuance of a notice of allowance for claims 34-47. In the event any additional fees are due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 (Reference: AVERP3423USB).

Respectfully submitted,
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